

This facsimile message and its contents are legally privileged and confidential information intended solely for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this message and its contents is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone and return the original message to us at the address shown below via the Postal Service. Thank You.

RECEIVED
CENTRAL FAX CENTER
DEC 7 2005

ALSTON & BIRD LLP

101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
704-444-1000
Fax: 704-444-1111

TELECOPY**PLEASE DELIVER IMMEDIATELY****DATE:** December 7, 2005

TO: UNITED STATES PATENT AND TRADEMARK OFFICE
AFTER FINAL COMMUNICATION
MAIL STOP AF
ART UNIT 2682

Christopher W. McAvoy
Reg. No. 57,055

In re: Jonathan Sharp
Appl. No. 10/089,815
Filed July 1, 2002
Title: PORTABLE DEVICE

Confirmation No. 5578

Please process the attached the REPLY AFTER FINAL (4 pages) fax confirmation to Christopher W. McAvoy at 704-444-1111. Thank you.

NO. OF PAGES:
(Including cover page)

5**OPERATOR:****IF NOT RECEIVED PROPERLY, PLEASE NOTIFY ME IMMEDIATELY AT****USER CODE:** SIMMB**FAX NUMBER:** 571-273-8300**CLIENT/MATTER:** 042933/299147**REQUESTED BY:** Sarah Simmons 1142**VOICE NUMBER:**

CLT01/4768495v1

PATENT

**RESPONSE UNDER 37 C.F.R. 1.116 - EXPEDITED
PROCEDURE - EXAMINING GROUP 2682****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED**Confirmation No.: 5578 **CENTRAL FAX CENTER****DEC 07 2005**

Appl. No.: 10/089,815
Applicant(s): Jonathan Sharp
Filed: July 1, 2002
Art Unit: 2682
Examiner: Sanh D. Phu
Title: PORTABLE DEVICE

Docket No.: 042933/299147
Customer No.: 00826

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY AFTER FINAL UNDER 37 CFR § 1.113

Sir:

In response to the Final Office Action dated September 12, 2005, please consider the following remarks concerning the above-identified application:

Remarks/Arguments begin on page 2 of this paper.